IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18073 of 2007(B)

PETITIONER:

ANIL A.,
ROSHAN DALE, CHAVARA P.O., KOLLAM.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV

RESPONDENTS:
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1. INDIAN RARE EARTHS LTD.,
REPRESENTED BY ITS CHIEF GENERAL MANAGER,
CHAVARA P.O., KOLLAM.

2. THE CIRCLE INSPECTOR OF POLICE,
CHAVARA POLICE STATION, CHAVARA P.O., KOLLAM.

3. YOHANNAN,
BLAGATHU VEEDU, KARITHURA, CHAVARA P.O.,
KOLLAM.

4. JUSTIN JOHN,
KASPARU PURAYIDOM, KARITHURA, CHAVARA P.O.,
KOLLAM.

BY R2 BY GOVT.PLEADER SRI P.S.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE LETTER NO.CH/CE/0792/07/22 DATED 25/5/2007 ISSUED BY THE IST RESPONDENT AWARDING THE CONTRACT TO THE PETITIONER.

EXT.P2 TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER'S BEFORE THE 2ND RESPONDENT DTD. 8/6/2007.

P.R. RAMAN & K. HEMA, JJ.

W.P.(C) NO. 18073 OF 2007

DATED THIS, THE 15TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner is a contractor who is awarded with the work of conveyance of waste sand (loading, transportation, unloading and leveling) from HUP tail dump inside the plan premises to DWUP-I dredged out area for the year 2007-2008. It is alleged that Respondents 3 and 4 who are union leaders of the locality are demanding money for doing the work by the petitioner, which is illegal. Though petitioner is stated to have agreed to pay honorarium for 35 persons, respondents 3 and 4 are making illegal demand to which he did not agree. Because of this, they are causing obstruction to the work to be carried on by the petitioner as per the contract.

2. Though we have issued notice to Respondents 3 and 4, they have not entered appearance and controverted the allegations contained in the writ petition.

3. In the facts and circumstances, there will be a direction that in case there is any obstruction caused by Respondents 3 and 4, the police authorities shall render adequate protection to the petitioner so as to enable

him to carry out the work awarded to him as per Ext.P1, in case the petitioner make a request in this behalf.

The writ petition is disposed of as above.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-